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NEW YORK, August 23, 1884.

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REFERENCES.

- Annual Summary Number, Jan. 26.
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NOTES IN SEASON.

D. APPLETON & CO. have just ready, a cheap paper edition of Herbert Spencer's "The Man Versus the State," comprising a number of political papers first published in England in the *Contemporary Review*, and subsequently in this country in the *Popular Science Monthly*.

P. BLAKISTON, SON & CO. have just ready, Sir Henry Thompson's work, "On Tumors of the Bladder," their nature, symptoms, and surgical treatment, preceded by a consideration of the best methods of diagnosing all forms of vesical disease, including digital explorations and its results.

FORDS, HOWARD & HULBERT have just published "Abraham Lincoln," by William O. Stoddard, "the true story of a great life, showing the inner growth, special training, and

peculiar fitness of the man for his work." The author was one of President Lincoln's secretaries during the War of the Rebellion.

THE Fowler & Wells Co. have just ready for issue, a new departure in book-making, being a work on physiology and hygiene in the form of an allegory, under the title of "The Man Wonderful in the House Beautiful," by Drs. C. B. and Mary A. Allen. It is to be handsomely illustrated and adapted for use as a text-book as well as for home reading.

HUBBARD BROS., Phila. have just published the "Life and Public Services of Hon. Grover Cleveland," by Hon. Wm. Dorschimer, with "A Biographical Sketch of Hon. Thomas A. Hendricks," by W. N. Hensel; and "Life and Public Services of Hon. James G. Blaine," by H. J. Ramsdell, including a Life of Logan by Ben Perley Poore. Both volumes are profusely illustrated, well printed in large clear type, and notable additions to campaign literature.

HARPER & BROS. have in press for early publication, a new popular edition of Stormonth's celebrated "English Dictionary," to be issued in extra weekly numbers in the *Franklin Square Library*, and to be printed from new plates furnished by the English publishers. It will be completed in about 23 numbers at 25 cents each, making a handsome imperial volume of over 1200 pages. The paper is of the finest quality, and the volume will be of a size and weight convenient for constant use.

JOURNALISTIC NOTES.

ÉMILE LITTRÉ, the celebrated French lexicographer, is the subject of a biographical sketch in the September *Century*. A full-page portrait accompanies the article.

HARPER'S MAGAZINE for September has among other notable contributions, a biographical paper, "Charles Reade, a Personal Reminiscence," by Robert Buchanan, with a portrait from the painting bequeathed by Mr. Reade to Messrs. Harper & Brothers.

BOOKS AND NOTIONS is the title of a new monthly trade paper, published in Toronto, and devoted to the interests of the book, stationery, and fancy goods trades of Canada. The first number, August, a small quarto of twenty pages is very creditable typographically, and contains some interesting reading, both original and selected on Canadian trade matters.

THE September number of the *North American Review* contains a group of papers under the heading "Evils of the Tariff System," by David A. Wells, W. G. Sumner, Thomas G. Shearman and of other well-known advocates of free-trade. The October *Review* will exhibit the "Benefits of the Tariff System," in a series of articles, by several distinguished writers on political economy and supporters of protection.

PROFESSOR LANGLEY, of Alleghany Observatory, contributes to the September *Century* an article describing the spots on the sun, with twenty-five illustrations, many of them from drawings by the author. This will be the first paper in a series, entitled "The New Astronomy," of several untechnical articles, fully illustrated, summarizing in popular and graphic language the most interesting of recent discoveries in the heavens.

WEEKLY RECORD OF NEW PUBLICATIONS.*

The abbreviations are usually self-explanatory. A colon after initial designates the most usual given name: A: Augustus; B: Benjamin; C: Charles; D: David; E: Edward; F: Frederic; G: George; H: Henry; I: Isaac; J: John; L: Louis; N: Nicholas; P: Peter; R: Richard; S: Samuel; T: Thomas; W: William. Sizes are designated as follows: F. (folio: over 30 centimeters high); Q. (4to: under 30 cm.); O. (8vo: 25 cm.); D. (12mo: 20 cm.); S. (16mo: 17½ cm.); T. (24mo: 15 cm.); Tt. (32mo: 12½ cm.); Fe. (48mo: 10 cm.). Sq., oblong, narrow books of these heights.

- ***Albany** (The) law journal. A weekly record of the law and the lawyers. Conducted by Irving Browne. V. 29, Jan. 1884-July, 1884. Alb., Weed, Parsons & Co., 1884. 5+534 p. O. pap., subs. \$5.
- ***American** (The) decisions cont. the cases of general value and authority decided in the courts of the several States. Comp. and annotated by A. C. Freeman. V. 55 [1850-53]. San Francisco, A. L. Bancroft & Co., 1884. 2+888 p. O. shp., \$6.
- ***Bancroft, Hubert Howe.** History of the Pacific States of North America. V. 10: North Mexican States and Texas. V. 1, 1531-1800. San Francisco, A. L. Bancroft & Co., 1884. O. cl., \$4.50.
- ***Bancroft, Hubert Howe.** History of the Pacific States of North America. V. 13: California, v. 1, 1542-1800. San Francisco, A. L. Bancroft & Co., 1884. O. cl., \$4.50.
- ***Bancroft, Hubert Howe.** History of the Pacific States of North America. V. 22: The Northwest, v. 1, 1543-1800. San Francisco, A. L. Bancroft & Co., 1884. O. cl., \$4.50.
- Braddon, Miss M. E. [Mrs. J. Maxwell].** Barbara; or, splendid misery. A novel. N. Y., G: Munro [1884]. 256 p. S. (Seaside lib., pocket ed., no. 234.) pap., 15 c.
- Clay, Bertha M.** Repented at leisure. N. Y., G: Munro, 1884. 169 p. S. (Seaside lib., pocket ed., no. 237.) pap., 15 c.
- ***Church, W: S.** A treatise of the writ of habeas corpus, including jurisdiction, false imprisonment, writ of error, extradition, mandamus, certiorari, judgments, etc., with practice and forms. San Francisco, A. L. Bancroft & Co., 1884. 61+702 p. O. shp., \$6.
- ***Dakota.** The annotated revised codes of the territory of Dakota, 1883. V. 2. Embracing political code, civil code, penal code, code of criminal procedure. With notes and ref., and a new index. Ed. by A. B. Levisee and L. Levisee. St. Paul, West Pub. Co., 1884. 10+318-1654 p. O. shp., \$6.50.
- Dillon, Rev. J.** Christina; or, the persecuted family: a tale of sorrow and suffering founded on a chapter in the history of the Vaudois. N. Y., Phillips & Hunt, 1884. 232 p. il. S. cl., \$1.
- Relates the persecutions to which the Protestant Church was subjected by the Church of Rome during the Reformation. Many of the characters are historic, and the author says in the preface "the story is true to fact." The spirit of the writer is sectarian and the book gives a partisan view of that most interesting era in the history of civilization.
- Dorsheimer, W:** Life and public services of Hon. Grover Cleveland; [also] biographical sketch of Hon. Thomas A. Hendricks, by W. N. Hensel. Phil., Hubbard Bros. [1884]. 3-578 p. por. and il. D. cl., subs., \$2.
- The author of Cleveland's life is Member of Congress, and late Lieut.-Gov. of the State of N. Y., and "the bosom friend and chosen biographer of Governor Cleveland." Mr. Hensel is editor of the *Lancaster Intelligencer*. Contains also biographical sketches of all the Presidents, and a large amount of political and statistical information.
- Fatal dower (A);** by the author of "His wedded wife." N. Y., G: Munro [1884]. 61 p. Q. (Seaside lib., no. 1868.) pap., 20 c.
- Fawcett, Edgar.** Rutherford. N. Y. Funk & Wagnalls, 1884. 310 p. D. (Standard lib., no. 16.) cl., \$1.; pap., 25 c.
- A novel of New York society in which many of the old Knickerbocker types are introduced. Rutherford, the hero, is a Europeanized American, a good deal in Henry James's vein. His social successes and unhappy love-affairs make up the larger part of the volume.
- ***Field, G: W.** Field's lawyers' briefs, consisting of treatises on every important legal subject, alphabetically arranged. V. 2. Alb. & N. Y., Banks & Bros., 1884. 8+772 p. O. shp., \$5.50.
- Forrester, Mrs.**—*Omnia vanitas*: a tale of society. N. Y. G: Munro, 1884. 26 p. Q. (Seaside lib., no. 1871.) pap., 10 c.
- Foster, R. S.** Centenary thoughts for the pew and pulpit of Methodism in 1884. N. Y., Phillips & Hunt, 1884. 186 p. O. cl., \$1.50. Addresses made by Bishop Foster before the New York Conference of 1866, and the Lay Electoral Conferences held in September and October of 1883. They are issued to commemorate the centennial year of the Methodist Episcopal Church.
- Foster, W: E.** Stephen Hopkins; a Rhode Island statesman: a study in the political history of the eighteenth century. Providence, R. I., Sidney S. Rider, 1884. In 2 pts., pt. 1. 20+196 p. sq. D. (Rhode Island historical tracts, no. 19.) pap., \$2. Pt. 2. 12+289 p. sq. D. (Rhode Island historical tracts, no. 20.) pap., \$3. Same, in v. sq. D. cl., \$5.50.
- "The life of Stephen Hopkins possesses an interest which is peculiar and almost unique among the great men of the day. His career culminated in the act of independence, instead of commencing with it, as—in the eyes of posterity—that of most of his colleagues did. . . . Of course the principal interest of the book gathers about those years of preparation for the great contest, in which the trained powers of Stephen Hopkins found their best exercise, and Mr. Foster makes a positive contribution to our knowledge of this most important period."—*The Nation*.
- Georgia scenes; characters, incidents, etc.**, in the first half century of the republic, by a native Georgian; with original il. N. Y., Harper, 1884. 54 p. Q. (Harper's Franklin sq. lib., no. 391.) pap., 20 c.
- Great mistake (A);** by the author of "His wedded wife." N. Y., G: Munro [1884]. 93 p. Q. (Seaside lib., no. 1869.) pap., 20 c.
- Hartshorn, E. A.** Wages, living, and tariff. [2d ed.] Troy, N. Y., W: H. Young, 1884. 101 p. Tt., pap., 25 c.
- See note, Weekly Record, P. W. July 12, '84 [650].
- ***Illinois, Appellate Courts.** Reports. By Ja. B. Bradwell. V. 14, cont. opinions up to 15th July, 1884. Chic., Chic. Legal News Co., 1884. 6+13-723 p. O. shp., \$3.50.
- Kansas. Supreme Court.** Reports. A. M. F. Randolph, rep. v. 31. July term, 1883, and Jan. term, 1884. Topeka, Kansas Pub. House, 1884. 8+898 p. O. shp., \$3.50.
- King, Pendleton.** Life and public services of Grover Cleveland. N. Y., G: P. Putnam's Sons. 1884. 7+224 p. por. S. pap., 30 c.
- In preparing this biography Mr. King has portrayed Mr. Cleveland "as far as possible, by means of judicious selections from his own messages, vetoes and speeches." The book also contains in an appendix, other documents for reference in the present political contest, (1) List of States with their present electoral vote. (2) Summary of popular and electoral votes in Presidential elections, 1789-1880.

- Mathews, W.** Words; their use and abuse. New ed. rev. and enl. Chic., S. C. Griggs & Co., 1884. 8+494 p. D. cl., \$2. Printed from new plates: has been thoroughly revised, errors corrected and two new chapters added, one on "Onomatopes," the other on "Names of Men," besides many pages on the subjects of the other chapters, making in all an addition of about 100 pages.
- Michaud, Henri.** Le Roi d'Amérique: comédie, en un acte. N. Y., W. R. Jenkins, 1884. 8 p. D. (Michaud's ser. of French plays for schools, no. 1), pap., 10c. The first of a new series of original plays in French for study or performance in schools. This one is especially for boys, the characters being all of the male gender.
- ***Moak, Nathaniel C.** Reports of cases decided by the English courts, with notes and ref. V. 34. Alb., W. Gould & Son, 1884. 10+922 p. O. shp., \$6.
- ***Murphy, Walter.** Remainders to children as a class. Phil., Rees Welsh & Co., 1884. 54 p. O. cl., \$1.
- ***New York. Court of Appeals.** Reports. Feb. 8-April 29, 1884. By H. E. Sickels, State rep. v. 95. Albany, Weed, Parsons & Co., 1884. 25+760 p. O. shp., \$2.50.
- ***New York.** The general statutes of the State relating to the formation, regulation, etc., of corporations for manufacturing, mining, etc., with all the amendments to 1884. N. Y. & Alb., Banks & Bros., 1884. 10+158 p. T. pap., 75c.
- ***Ohio.** General and local laws and joint resolutions, passed by the 66th general assembly, at its regular session, begun Jan. 7, 1884. V. 81. Columbus, G. J. Brand & Co., State printers, 1884. 457 p. O. shp., \$1.50.
- Potts, Rev. J. H.** Spiritual life: its nature, urgency, and crowning excellence. N. Y., Phillips & Hunt, 1884. 230 p. S. cl., \$1. An unpretentious little book, that is neither doctrinal nor controversial; it simply seeks to call attention "to the existing necessity for a purer life and a better work in the churches."
- Ramsdell, H. J.** Life and public services of Hon. James G. Blaine; [also] The life of Gen. John A. Logan by Ben. Perley Poore. Phil., Hubbard Bros. [1884]. 3-678 p. por. and il. D. cl. subs., \$2. Mr. Ramsdell and Major Poore seem eminently fitted for this work, as they were both prominent journalists in Washington for many years, Mr. Ramsdell having been an intimate friend and associate of Mr. Blaine. Besides the biographies which are pleasantly told with many anecdotes, there are sketches of all the Presidents, and a large amount of political information, both historical and statistical.
- ***Reed, H.** A treatise on the law of the statute of frauds. V. 2. Phil., Kay & Bro., 1884. 6+630 p. O. shp., \$5.
- ***Rhode Island.** Acts and resolves passed by the general assembly, at the May session, 1884. Prov., E. L. Freeman & Co., Print. to the St., 1884. 11+104 p. O. pap., 75c.—Same. [Cheap ed.] Prov., E. L. Freeman & Co., Print. to the St., 1884.] 14+3 p. O. pap., 25c.
- ***Rhode Island.** Acts and resolves passed by the general assembly at the Jan. session, 1884. [Together with the public documents.] Prov., E. L. Freeman & Co., Print. to the St., 1884. 23, 125-282+[750] p. O. pap., \$2.—Same. [Cheap ed.] Prov., E. L. Freeman & Co., Print. to the St., 1884.] 65+9 p. O. pap., 50c.
- Smithsonian Institution.** Annual report of the Board of Regents of the Smithsonian Institution, showing the operations, expenditures and condition of the institution for the year 1882. Wash., D. C., Government Print. Office., 1884. 20+855 p. il. O. cl. Contains a very valuable bibliography of anthropology for 1882, sub-divided under subject headings; also a bibliography of publications of the museum for 1882.
- Stoddard, W. O.** Abraham Lincoln: the true story of a great life; showing the inner growth, special training, and peculiar fitness of the man for his work. N. Y., Fords, Howard & Hulbert, 1884. 1+508 p. il. and por. O. subs., cl., \$2.75; hf. roan, \$3.50. A strictly personal life of Abraham Lincoln has long been regarded by many as a literary necessity. To present such a biography is the single aim of this book. It is a record of political and military events only as these in some manner become a part of, or set forth, or illustrate the character and services of the great President. The writer knew Mr. Lincoln well, and had many opportunities of preparation for such a work as this. These were obtained during a residence of several years, before the war, in Mr. Lincoln's own district in Illinois, and as one of his assistant private secretaries at Washington, from the beginning of his administration, in 1861, to about the end of September, 1864. Every effort possible has been made to put away partisan feeling, and the blindness of personal affection, and to produce and present a faithful portrait of the man as he was.—Preface.
- ***Supreme court reporter, v. 4.** Cases argued and determined in the United States Supreme court. Oct. term, 1883. March-May, 1884. Robt. Desty, ed. St. Paul, West Pub. Co., 1884. 27+746 p. O. shp., \$5.
- ***United States. Supreme Court. Reports.** Jan. term, 1847. By B. C. Howard. V. 5. 2d ed., ed. with notes and ref. by Stewart Rapalje. N. Y. & Alb., Banks & Bros., 1884. 19 +762 p. O. shp., \$3.50.
- ***United States. Supreme Court. Reports.** V. 66-69. (Embracing 1-2 Black, 1-2 Wallace.) Cases in the Dec. terms 1861-62-63-64. Complete ed., with notes by Stephen K. Williams. Book 17. Newark, Wayne Co.; N. Y., The Lawyers' Co-operative Pub. Co., 1884. 955 p. O. shp., \$5.
- Vosmaer, Carl.** The Amazon; tr. by E. J. Irving; preface by Georg Ebers; frontispiece by L. Alma Tadema. N. Y., W. S. Gottsberger, 1884. 15+262 p. S. pap., 40 c. Vosmaer was born in the Hague, March 20, 1826. As a poet, novelist, essayist, and art-historian he has exercised a powerful influence upon the literature of his country, being in fact the leader of the aesthetic movement in Holland, having in every way opposed the ultra-realism of the modern school of fiction. "The Amazon," a story of Rome and Naples, the characters being English and German, is an illustration of his worship of the beautiful. It is full of delicate pen pictures of life and art. It is considered one of Vosmaer's best novels, having gone through three editions in Holland in rapid succession, and been translated into French, German, now into English, while an Italian version is in preparation.
- Walford, L. B.** The baby's grandmother: a novel. N. Y., G. Munro [1884]. 66 p. Q. (Seaside lib., no 1866.) pap., 20 c.
- Walton, Izaak and Cotton, C.** The complete angler; or, the contemplative man's recreation; ed. by J. Major; from the 4th London ed. N. Y., T. Y. Crowell & Co. [1884]. 59 +418 p. il. D. cl., \$2.
- A new and very pretty edition of this quaint old classic, printed on fine calendered paper, in clear and handsome type, with all the illustrations of Major's edition.
- Weeden, W. B.** Indian money as a factor in New England civilization. Balt., Johns Hopkins University, 1884. 51 p. O. (Johns Hopkins University Studies, second ser., nos. 8 and 9), pap., 50c. Paper presented to the Historical and Political Service Association of the J. H. U., Nov. 9, 1883; an important chapter in the economic history of New England.

- Whitney**, Ja. A. *Shobab; a tale of Bethesda: a poem.* N. Y., N. Tibbals & Sons, 1884. D. cl., \$1.
Willkinson, W. *Cleaver. College Greek course in English.* N. Y., Phillips & Hunt, 1884. 3-302 p. il. D. (The after-school ser.), cl., \$1.25.

The third volume issued of a series devised on a novel plan for making possible through the English language a certain degree of culture in Greek and Latin letters. This volume offers through the medium of translations the same knowledge of Greek as is imparted to students during a four-years' stay in the average American college. Consists of extracts connected by explanatory text from Herodotus, Thucydides, Plato, Æschylus, Sophocles, Euripides, Aristophanes, Pindar, Demosthenes. Index.

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Mathews, Words, New ed., rev. and enl... 2.00		REES WELSH & Co., Phila.
HARPER & BROS., N. Y.		Murphy, Remainders to children as a class
Georgia scenes (H. F. S. L., 391).....	20	1.00
HUBBARD BROS., Phila.		WEST PUB. Co., St. Paul, Minn.
Dorsheimer and Hensel, Cleveland and Hendricks.....	2.00	Dakota, Annotated revised code, 1883, v. 2..... 6.50
Ramsdell and Poore, Blaine and Logan..	2.00	Supreme Court Reporter, v. 4..... 5.00
WILLIAM R. JENKINS, N. Y.		WILLIAM H. YOUNG, Troy, N. Y.
Michaud, Le Roi d' Amérique.....	10	Hartshorn, Wages, living and tariff, 2d ed. 25

The Publishers' Weekly.

FOUNDED BY F. LEYPOLDT.

AUGUST 23, 1884.

PUBLISHERS are requested to furnish title-page proofs and advance information of books forthcoming, both for entry in the lists and for descriptive mention. An early copy of each book published should be forwarded, to insure correctness in the final entry.

The trade are invited to send "Communications" to the editor on any topic of interest to the trade, and as to which an interchange of opinion is desirable. Also, matter for "Notes and Queries" thankfully received.

In case of business changes, notification or card should be immediately sent to this office for entry under "Business Notes." New catalogues issued will also be mentioned when forwarded.

"Every man is a debtor to his profession, from the which, as men do of course seek to receive countenance and profit, so ought they of duty to endeavor themselves by way of amends to be a help thereunto."—LORD BACON.

THE CHATTERBOX DECISION.

ONE of the most important decisions in relation to the book trade, and to a practical international copyright in certain directions, which has been made in recent years, is that by Judge Wheeler in the Chatterbox case, given elsewhere. The fact that it is not absolutely definite as to the grounds of the judgment rather extends than diminishes the possible importance of its bearing, and the trade will look with interest to the further development of the rule laid down, if the decision becomes a basis for other judges, or to its treatment on appeal, if that shall follow.

The pith of the decision seems to be in the phrase that "Johnston had the exclusive right to put his own work as his own upon the market of the world." This, it would seem, goes back to the common law and the principles of equity, in line with English decisions prior to the statute of Queen Anne. It recognizes a right in property by creation, which would seem to make copyright, trade-mark and patent legislation unnecessary, except for developing suitable methods of protection of an existing right, and this, as we understand, was the spirit of the Queen Anne statute, though that has since been held to supersede by limitations the common law right.

It is to be noted, however, that the judge seems to take pains to avoid any grounds for his decision that might contravene existing precedent as to specific copyright or trade-mark rights. He does not say that the matter, or the title, or the form, can be protected in this country, but bases his decision upon the totality, matter, form, title, copied by the defendants. Whether the greater does not include the less is a query we presume we shall hear more of in court.

A POINT which was raised last week as to marks on third- and fourth-class postal matter is seen, by a correspondence which we print this week, to have practical special bearings on the book trade. We can only repeat that this seems to be one of those narrow decisions against the interests of the public in which the devotees of red-tape delight, and we note without surprise that it emanates from the particular official whose name gave phrase at the time of the postal conference of some years since to the general complaint against "Marring the mails." This is a case which should be appealed direct from the red-tape officials to the common-sense of the Postmaster-General, if Congress is not to be troubled to set the department right by new legislation.

JUDGE WHEELER'S DECISION IN THE CHATTERBOX CASE.

IN the case of the complaint of Dana Estes and others, to restrain John B. Williams, John W. Lovell and others from the issue in this country of the "Chatterbox" line of juveniles, Judge Wheeler, of the U. S. Circuit Court, Southern District of N. Y., has delivered the following decision in equity:

Mr. James Johnston, of London, England, appears to have published a regular series of juvenile books, of uniform appearance and in a style of peculiar attractiveness, and called them the "Chatterbox," until they became widely known and quite popular in that country and this. He assigned the exclusive right to use and protect that name in this country to the orators for ten years from January 1st, 1880.

The defendants have, since that time, commenced the publication of a series of books and called them by that name, and made them so similar in appearance and style to those of Johnston as to lead purchasers to think they are the same. As a matter of fact, it is found that they intended to make the books appear to be the same, and to avail themselves of the popularity which the books had attained by the labor and skill bestowed upon them by and at the expense of Johnston. There being no copyright to prevent, the defendants claim the right to so print and publish the series of books in this country, and that if they have not the right, the orators have no right to prevent them.

There is no question but that the defendants have the right to reprint the compositions and illustrations contained in these books, including the titles of the several pieces and pictures (Jollie vs. Jaques, 1 Blatch., 618).

That does not settle the question as to the right claimed here. There is work in these publications, aside from the ideas and conceptions. Johnston was not the writer of the articles, nor the designer of the pictures, composing the books, but he brought them out in this form.

The name indicates this work. The defendants, by putting this name to their work, in bringing out the same style of book, indicate that their work is his. This renders his

work less remunerative, and, while continued, is a continuous injury, which it is the peculiar province of a Court of Equity to prevent. These principles are discussed, settled, and applied in *McLean vs. Fleming*, 96 U. S., 245.

It has been argued that there have been various publications from earlier times by the same name, so that no new right to the use of the name could be acquired.

This would be true, doubtless, as to all such publications as those to which the name was applied, but not as to those essentially different. The fact of these other publications bears only upon the question of fact, as to whether Johnston's work had come to be known by this name, and the defendants, by using this name, represent that their work is the same.

The conclusion stated, as to the fact, has been reached after consideration of what is shown as to their other publications.

Johnston had the exclusive right to put his own work as his own upon the market of the world. No one else had the right to represent that other work was his. Not the right to prevent the copying of his and putting the work upon the markets, but the right to be free from untrue representations that this other work was his when put upon the markets. This gives him nothing but the fair enjoyment of the past reputation of his own work, which fully belongs to him. It deprives others of nothing that belongs to them.

The question then arises whether Johnston could transfer his right, or any part of it, to the orators, so that the defendants, in what they have done, and are about to do, trespass upon the orators' rights, and not upon Johnston's. He could not do all this himself, he must act by and through others. No reason is apparent why he could not give them the exclusive right to put his work on the market as his, as he had that right. This seems to be what he undertook to do. They had that right, and the profits of its enjoyment would belong to them. The defendants would deprive them and not Johnston of the profits. The injury would be to them and not to him, and they are in this view entitled to the remedy.

It is objected that they also trespassed upon Johnston's rights before they acquired them. This may be true; and if so, they may be liable for the damages.

Such a trespass would not prevent them from acquiring a lawful right in a lawful manner. Had not trespasses been so frequent and long continued that the work had come to be known to be the work of others, or had lost identification as the work of Johnston, the course of the defendants might not amount to any representation that their work was his; but the evidence does not show this.

As the case is now understood, the orators appear to be entitled to relief. Let there be a decree for an injunction and an account.

A POSTAL CORRESPONDENCE.

NEW YORK, July 2, 1884.

C. N. Caspar, Esq.:

DEAR SIR: We regret to inform you that there was a charge of 59 cents postage on the copy of Roosevelt's "Game Fish," charged on account of having your private mark in pencil on the fly-leaf. We sent to the post-office to try to

get the charge refunded, but to no purpose. I inclose you the paragraph upon the law given to me by the post-office officials, upon which they base the charge. We have been running the same risk, as we never rub out our marks; hereafter we shall do so.

Yours respectfully,

A. L. LUYSER,

MILWAUKEE, July 28, 1884.

Postmaster-General, Washington, D. C.:

DEAR SIR: On the 30th of last month I sent to A. L. Luyster, 98 Nassau Street, N. Y., a package containing a book, and prepaid this with 9 cent stamps. I was afterward informed by Mr. Luyster, that the P. M. of N. Y. collected a further postage of 59 cents on this package, because the book was marked on the fly-leaf, viz., "in," representing in a private mark the price at which the same should be sold. Every bookdealer in the U. S. has such a mark and uses it, and I seldom receive a book from a dealer without it. I never before have been asked to pay a higher rate than third class on account of such a mark, and I therefore would respectfully request you to investigate this matter, and return said 59 cents. I cannot believe that a law is in existence which puts every bookseller to such an inconvenience, and which is not practically in force except in this one case.

Hoping you will give this matter your kind attention, I am,

Yours respectfully,

C. N. CASPAR.

MILWAUKEE, Wis., Aug. 15, 1884.

To the Editor of the Publishers' Weekly:

Sir: Inclosed I send you a correspondence in regard to a matter which I think is of great interest to any bookseller. I can only assure you, that the book in question has been a shelf-worn copy, and had NO marks whatever, except our price mark in letters. It would be advisable if you publish a synopsis of this correspondence in the columns of the PUBLISHERS' WEEKLY in order to call the attention of the trade to what seems to me a bureaucratic nuisance. There is no doubt that more booksellers will have to suffer under this new and wise regulation of our P. O. officials, and booksellers should undertake to prove the impossibility of carrying out such a law, so that the same may be removed.

Respectfully,
C. N. CASPAR.

NEW YORK, July 31, 1884.

RESPECTFULLY returned to Hon. First Ass't. P. M. G. with the information that the additional charge was justified under Sec. 231, P. L. and R., there appearing three marks (price) on fly-leaf of book.

H. PEARSON,
Postmaster.

WASHINGTON, D. C., August 2, 1884.

Postmaster, Milwaukee, Wis.:

SIR: Inclosed please find complaint of C. N. Caspar, your city, respecting rating up of a book mailed by him, and referring thereto, please submit the inclosed reply of the Postmaster, New York, N. Y., and advise him that by the provision of Sec. 231, P. L. and R., and Ruling

531, January, 1884, Guide, the action of the Postmaster, New York, is approved. . . .

Very respectfully,

JAMES H. MARR,
For First Ass't P. M. Gen'l.

COMMUNICATIONS.

MORE POSTAL AMENITIES.

NEW YORK, August 19, 1884.

To the Editor of the *Publishers' Weekly*:

In the order of the Postmaster-General criticised last week, occurs a sentence that ought not to go unnoticed.

In that order he says, "All persons not of these classes, are entitled to send through the mails without regard to place of mailing, destination, or distance, newspapers and periodical publications of the second class, weighing not more than four ounces, by affixing thereto a one-cent postage-stamp."

Any fair reading of the sentence quoted above is, that you can send papers, etc., anywhere without "regard to . . . destination or distance" at the rate of one cent for four ounces.

Is this true? Suppose you try sending a paper simply to England, doing exactly what the Postmaster-General says you can do, and see if you do not find very quickly that "Postal Union rates" are "one cent for each two ounces;" or try one to Australia and you will speedily find another rate!

Why then does the Postmaster-General publish such an order, if it is not true, and has no law to back it?

Simply for the same reason that he promulgates other orders, and then has to take the back track on them, viz., because he or the person writing his orders is altogether "too previous."

Once more please notice in this wonderful order that the Postmaster-General makes no provision for sending any papers or periodicals that weigh *more* than four ounces, as he not only limits the weight, but also the rate to that size, and says nothing whatever about "each four ounces or fractional part thereof" as the law itself does; and by not half as strict a construction as is put upon the marks upon fourth class matter, this would cut off everything weighing more than the amount named, or prepaid in any other manner than the exact form "by affixing thereto a one-cent postage-stamp;" so that using a two-cent stamp would be so illegal that the paper would not go, unless you were a "publisher or news agent," when it would be all right!!

The trouble with this department is, its Washington officers forget they are the servants of the people, and should make it their aim to accommodate them, and serve them well; and, imagine that they own the United States mails, and it is purely a personal favor on their part to allow the "common herd" to use them at all!!

The law is openly defied by the officials, as in the *illegal* charge of one cent per ounce upon photographs, simply because they think no one will sue for a mandamus, and compel them to observe the plain requirements of the law.

I can only hope I may live long enough to see the day when Congress will enact a plain, simple law that can be understood, without a heap of trash called "Postal Regulations," and when the Postmaster-General will have no seat in the Cabinet, but will simply attend to his legitimate

duties of seeing that the mails are promptly sent, and postal matters conducted with something the same amount of common-sense, that every decent business man uses in his own affairs.

To this wish I am sure your readers will respond, "So might it be." S.

A SUGGESTION FOR A CATALOGUE.

NEW YORK, Aug. 16, 1884.

DEAR SIR: Allow me to make a suggestion. You are now compiling the Catalogue for 1885. In it you of course include American as well as foreign authors. Would it not be a good idea to make up a volume, say 12mo, handy size, of those entries of American authors: that is, take bodily from the entry in the catalogue under *Stowe, Harriet Beecher*, all the various editions of her works there mentioned? So, too, with other authors of American birth. The type would not have to be reset as an electrotype could be made of matter selected from catalogues. As to what authors to choose, Mr. Oscar Fay Adams's "Hand-book of American Authors" (Houghton, Mifflin & Co.) would serve as a guide. The value of a book of this kind would be great. The Catalogue is so large and expensive that few can buy it, while such a book as I have mentioned would be handy, popular, and within reach of individuals. The practical value of the book would be that it would serve as an index to one wishing to procure the most desirable of an American author's works, and also to get the more desirable binding. Publishers are not so ready to give this information, especially if they possess an edition of an American author's book in less desirable binding than some other publisher. Possibly some arrangement might be made with Houghton, Mifflin & Co. so as to supply them the matter to be included in Mr. Adams's book. Or, better yet, have some one edit the book proposed, giving some good, practical points on "binding of books" and kindred topics, and if possible indicating which of those enumerated would be more serviceable. You may depend upon it that there would be a large enough demand for the proposed book; and to make it a practical success very little ingenuity would be needed as you have the hardest part done already in the "Catalogue."

I merely make the suggestion and am in no way interested in its prosecution, although I shall be the first to welcome the book when done.

Yours very cordially,

WM. BAYLEY.

[We thank our correspondent heartily for his suggestion, which, we presume, refers to the "American Catalogue, 1876-1884." There are two practical difficulties in the way of his plan: first, that the new volume includes only books issued or re-issued since 1876, so that the materials could not be complete even for American authors, unless a part of the original "American Catalogue" should be reset; secondly, that the new volume is already partly printed and the first portion of the type distributed. But a more serious difficulty is the general one that few such catalogues pay. The purpose of our correspondent was partly carried out in Mr. Leyoldt's little publication, "Books of all Time," and the "A. L. A. Catalog," to be edited under the auspices of the American Library Association, will further meet this kind of want.—ED.]

LITERARY AND TRADE NOTES.

BOTH "But Yet a Woman," A. S. Hardy's novel, and Miss Phelps's "Beyond the Gates," are in their 19th thousand.

DAVID MCKAY announces for immediate publication; "The Confessions of Hermes and Other Poems," by Paul Hermes.

CUPPLES, UPHAM & CO. have just published for Mr. John Albee, "New-Castle, Historic and Picturesque." The volume is illustrated with a large map of the island and 50 or more full-page and other views.

JAMES R. OSGOOD & CO. have issued another group of the *Round Robin* series, in handsome paper covers, comprising "Doctor Ben;" "Rachel's Share of the Road;" "Fanchette;" and "His Second Campaign."

STILL another addition to campaign biographies has recently been made by the Hartford Publishing Co., in "The Lives of James G. Blaine and John A. Logan," by Thomas W. Knox, the well-known traveller.

ROBERTS BROS. will issue next month the eighth volume of the "Famous Women Series," entitled, "The Countess of Albany," by Vernon Lee. Much new matter in the form of letters, heretofore unpublished, will be contained in the volume.

THE Fowler & Wells Co. arranged with Miss Faithful, during her last visit to this country, to become the American publishers of her book, entitled, "Three Visits to America," paying her for advance copy. The work will be published simultaneously here and in London this fall.

THOMAS WHITTAKER will publish in September a volume of poems by J. Hazard Hartzell, D.D., entitled "Wanderings on Parnassus," and a new volume by Bishop Oxenden, of Canada, dealing with the Christian life in a practical way, "Touchstones, or Christian Graces and Characters Tested."

THE CENTURY CO. have in preparation for immediate publication a new book of stories, rhymes, and pictures for little folks, to be called "Baby World." It has been edited by Mary Mapes Dodge, and, like "Baby Days," will consist of selections from *St. Nicholas Magazine*, especially adapted to the very little ones.

C. H. WHITING has just published two pamphlets, "The Indian Question," by Gen. Henry B. Carrington, U. S. A., an address delivered before the Geographical and Geological Sections of the British Association for the Advancement of Science, at their 45th meeting at Bristol, England; and "Boston and New York, 1775-1776," by the same author, historical papers with notes, reprinted from the *Bay State Monthly*.

PHILLIPS & HUNT have just published, "College Greek Course in English," by William Cleaver Wilkinson, being the third volume of the *After-School* series, an admirable method for those who only speak English, to make the acquaintance of the Greek and Latin classics. Also "Centenary Thoughts for the Pew and Pulpit of Methodism in 1884," by the Rev. R. S. Foster, D. D.; "Spiritual Life," by Rev. J. H. Potts, and Christina, or, the Persecuted Family," a tale of sorrow and suffering, founded on a chapter in the history of the Vaudois by the Rev. J. Dillon.

SIDNEY S. RIDER, Providence, R. I. has recently published an exhaustive and interest-

ing biography of one of the signers of the Declaration of Independence, as Nos. 19 and 20 of his series of "Rhode Island Historical Tracts." It is entitled "Stephen Hopkins, a Rhode Island Statesman, a Study of the Political History of the Eighteenth Century," by William E. Foster, Librarian of the Providence Public Library. The monograph is in two parts and far exceeds in extent any previous contribution to the "Historical Tracts," the first series of which it completes.

HOUGHTON, MIFFLIN & CO. have just produced the second part of Prof. F. J. Child's admirable edition of "The English and Scotch Popular Ballads." It contains twenty-five ballads, in all their differing versions, with twenty-four pages of "Additions and Corrections," mainly to Pt. I. "It is impossible" the London *Academy* says, "to praise too highly the loving care and scrupulous accuracy with which Prof. Child has edited these treasures of antiquity of our land. His work is up to the highest level of the best European scholarship, and the amount of information and illustration he has got together is astonishing, and is very happily put."

FOR the past six years Marcus J. Wright, an agent of the War Department, has been engaged in collecting for publication such Confederate records of the War of the Rebellion as could be obtained by gift or loan. More than one hundred prominent officers have furnished copies of official reports, and the Southern Historical Society has placed its collection at the disposal of the government. Ten large volumes have already been published, but in very many respects the records of the Southern army are still incomplete. Valuable documents are doubtless scattered all over the country in the hands of private individuals. A circular has been issued from the War Office asking for the use of such documents, and offering to preserve and return them to the owner if so desired.

HARPER & BROTHERS announce a new and complete edition of the poetical works of Tennyson, with an introductory sketch by Anne Thackeray Ritchie, and illustrations and portraits. The edition will include Tennyson's early poems omitted from the present English editions, and recent contributions to the periodicals, indeed every poem referred to in the bibliographies of Tennyson. A complete index giving the date of the several editions in which the poem first appeared will be a valuable feature. They also have in preparation "A History of the Four Georges," by Justin McCarthy, M. P., author of "A History of our Own Times;" "The Oldest Historical Group of Nations, and the Greeks," by Leopold von Ranke, edited by G. W. Prothero; Dinah Maria Craik's (Miss Muloch), "Miss Tommy," a mediaeval romance, now in course of publication in Harper's *Bazar*; "Love and Mirage," an out-of-door romance by an anonymous author; "The Voyage of the Vivian to the North Pole and Beyond," by T. W. Knox; and "The Ice-Queen," by Ernest Ingersoll, in Harper's *Young People* series.

IT is now definitely announced that "The Life and Correspondence of George Eliot," by her husband, Mr. John Cross, will be published

by the Blackwoods (London), before the end of the year.

THE final volume of the Metternich memoirs has appeared in Germany. It includes the story of the Prince's flight from Vienna in March, 1848, as recorded in his wife's diary, and some letters to his daughter, and articles and comments on the events of that stormy period.

MESSRS. TRÜBNER are going to issue an illustrated edition of Mr. Arnold's "Light of Asia." It is proposed that the illustrations shall be taken from photographs of Buddhist sculptures found in ancient ruins in Yusufzai (Gandara) in the Panjab, the Stupa of Bharhut in Nagode, the Sanchi (Bhilsa) and Amravati (Bombay) stupas, the cave temples of Ajanta in the dominions of the Nizam, and in other parts of India.

THE centenary of Dr. Johnson, falls within December of the present year, Johnson having died on December 13, 1784. The occasion is to be commemorated by a new volume in T. Fisher Unwin's "Centenary Series," written by Dr. Macaulay, editor of the *Leisure Hour*. It will be called "Doctor Johnson, his Life, Works, and Table-Talk."

THE *Athenaeum* says in a review of Underwood's "Life of Whittier": "Mr. Whittier's name will always stand high in the rank of American poets. If he lacks something of Longfellow's grace, Longfellow, on the other hand, has none of his fire; and if he is less stately than Bryant he is much more spontaneous. A

writer who can be pure, yet not cold, religious, yet not didactic, who is swift of thought and sure of touch, claims—what he has so largely received—respect and admiration."

"WIGAND, the Leipzig publisher," says the *Nation*, "has just brought out a little volume of 208 pages upon Turgeneff, by Eugen Zabel. The life and works of the great novelist are considered in the following order: Turgeneff's youthful years and first essays in poetry; the first prose stories, "The Diary of a Sportsman;" novels dealing with serfdom; friendship with Pauline Viardot; the "Cultur-romane;" Turgeneff's fantastic novels; lyrical and dramatic poems; last years in Paris. The book ends with a discussion of his personality, and the purport and significance of his literary work, especially as regards Russia."

GRESSNER & SCHRAMM, of Leipsic, announce a national *edition de luxe* of a work by Max Hermann Gartner, to be called "Aus Kaiser Wilhelm's Jugendzeit," which will contain original illustrations by H. Lüders, A. Geinheimer, and others, and copies of paintings and engravings of that time. Author and publisher have given time, energy and abundant means, to the making of this book, which pictures the first days of the United German Nation. The year 1871 and the French campaigns are handled with enthusiasm, but perfect fairness. A large sale is expected, and loyal Germans in America are solicited to send in their names in advance for a work of which only a limited number will be printed.

BOOKS WANTED.

Under the heading "Books Wanted," subscribers are entitled to a free insertion of five lines, exclusive of address, in each issue. Repeated matter, however, must be charged for at the rate of 10 cents per line.

Copy for this Department must reach us Wednesday Evening to be in time for insertion in same week's issue.

It is desirable to receive copy in shape ready for the printer, viz.: first, headline—name and address—then, titles in separate lines (see below), all written on detached slips, or at the bottom of letter, or on postal card. Compliance with this request will secure accurate and prompt insertion.

In answering, please state edition, condition, and price.

C. W. BARDEEN, SYRACUSE, N. Y.

Set each Appleton's, Johnson's, and the Britannica Cyclopaedias. Must be the latest editions, and cheap. Leather binding.

C. N. CASPAR, ATIQUARIAN BOOKS, MILWAUKEE, WIS.
Wilkinson, Ancient Egyptians. N. Y. 1854, v. 1. Harper,
Spofford's Am. Almanac, 1880.
O'Callaghan, Documents relating to Hist. of N. Y., v. II.
100 Barnes's Brief History of U. S.
22 Graham and Pitman's Phonography.
25 Webster's Dict., Unabridged, old ed., also school ed.
Cooper, Afloat and Ashore. Townsend ed.
Harper's Monthly, vols. 1, 2, 3, 24.
Stevens's War between the States, vol. 2, cl.
Porter, Recluse of Norway.
25 Swinton's Outlines of World History.
50 " New Grammar and Composition.
2 Why My Wife and I Quarrelled. Carleton.

COBB, ANDREWS & CO., CLEVELAND, O.
The Hayden Pedigree, from Stiles Windsor.
Hayes's Wells Family.
The Holcomb Family.

H. D. CHAPIN, CHIC., ILL.

Harper's Magazine, vs. 1, 2, 3, 4, 21, 22, 24, 25, 26, 27.
Cooper-Townsend ed., 1859. Afloat and Ashore. Miles Wallingford.
Shakespeare's Works, v. 1, 8°. full mor. Philip Sampson, Boston, 1850. Dramatic.
McKenny & Hall's Indians, v. 3, full mor.
Forest and Stream, v. 6, pts. 23, 24; v. 7, pts. 11-21 inclusive; v. 10, index; v. 11, to date.
Harper's Young People, v. 1, nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 17, 24, 25, 28, 29, 30, 45; v. 2, no. 59; v. 3, no. 112.
Puck, first numbers.
Illustrated Library of Wonders. Scribner & Welford, 12°.
hf. green roan; Wonders of Italian Wonders; Light-houses and Lightships; The Moon; Wonders of Sculpture; Wonders of the Insensible World; Wonders of Vegetation; Water; Hydraulics; Electricity; Subterranean World.

T. M. CLARK, 117 EAST 17TH ST., N. Y.
St. Nicholas, v. 1, no. 2.

E. DARROW & CO., ROCHESTER, N. Y.
Fénélon's Spiritual Progress. Dodd, Mead & Co.
The unbound numbers of vols. 59, 60, and 61 *Harper's Magazine*.
Nature and Art in Disease, by Sir John Forbes.
Spofford's Am. Almanac. 1880, cl.

W. O. DAVIE & CO., CINCINNATI, O.
Lanfrey's Napoleon, trans., vols. 1 or 2, or both. (Macmillan).
Godwin on Population.
" Life of Mary Wolstonecraft.
" Political Justice.
T. E. Cliff Leslie's Essays.
Walter Bagehot's Essays.

WM. ERVING, 121 FOURTH AVE., N. Y.
Tetrabiblos, Claudius Ptolemy. Trans. by J. M. Ashmand.
Primum Mobile Placidus. Trans. by J. Cooper.

S. W. FLEMING, 32 N. THIRD ST., HARRISBURG, PA.
1 Set complete, Voltaire's Works. Number of vols., size of same, style and size of type, condition and price.

G., Box 690, ORANGE, N. J.
Moore's History of Slavery in Massachusetts.
Hatheway's History of New Brunswick.

BOOKS WANTED—Continued.

F. E. GRANT, 678 BROADWAY, N. Y.

Frothingham's Safest Creed.
City of God, by St. Augustine.
Pymhurst: a Record of Travels in Europe.
Tokology, by Alice B. Stockton.
Violins, Old and New.
Commentaries on the Psalms, by St. Augustine.
Care for Bodies of the Dead, by St. Augustine.
Van Cotta's Ore Deposits.
Vs. 1 and 2 Waverly. Ticknor & Fields, original ed.
Sam Slick's The Old Judge.
" Nature and Human Nature.
" Yankee Stories.
" Yankee Yarns and Letters.
John of Barneveld. Ed. of 1874.
Wars of the Rebellion: Records of the Union and Confederate Armies. 1st ser., 2d. v.
Men of Mark, by Lord Houghton.

F. P. HARPER, 4 BARCLAY ST., N. Y.

Cape Cod Folks, first edition, published by A. Williams & Co., in good order.

HOLT & CRAWFORD, MONTGOMERY, ALA.

Vs. 11 and 12, Encyclopædia Britannica. 7th ed., hf. cf. A. & C. Black, Edinburgh, 1842.
V. 36, Ala. State Reports.

E. HOTALING, 62 STOCKHOLM ST., BROOKLYN, N. Y.

Odd nos. or vols of the *Library Journal*, want particularly v. 3, no. 8.

U. P. JAMES, 177 RACE ST., CIN., O.

The Classical Manual, a Commentary on Homer and Virgil, with Index, published by Valpy. London, 1827.

KANSAS CITY BOOK & NEWS CO., KANSAS CITY.

Brasseur de Bourbourg, Histoire des nations, Civilisées du Mexique et de l'Amér. Centrale, 4 vs. 1857-59.
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